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GOVERNMENT OF GOA

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GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

Notification

8/4/2012-LA

The Goa Value Added Tax (Amendment) Ordinance, 2012 (Ordinance No. 4 of 2012), which has been promulgated by the Governor of Goa on 1-6-2012, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 5th June, 2012.

The Goa Value Added Tax (Amendment)
Ordinance, 2012

(Ordinance No. 4 of 2012)

*Promulgated by the Governor of Goa in the
Sixty-third Year of the Republic of India.*

An Ordinance further to amend the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005).

Whereas, the Legislative Assembly of the State of Goa is not in session and the Governor of Goa is satisfied that circumstances exist

which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Goa is pleased to promulgate the following Ordinance, namely:—

1. *Short title and commencement.*— (1) This Ordinance may be called the Goa Value Added Tax (Amendment) Ordinance, 2012.

(2) It shall come into force with effect from 1st day of April, 2012 except section 3(ii) which shall be deemed to have come into force on 1st day of April, 2011.

2. *Amendment of section 9.*— In section 9 of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005) (hereinafter referred to as the “principal Act”),—

(i) in sub-section (2), for clause (viii), the following clause shall be substituted, namely:—

“(viii) in respect of goods used in the manufacture or processing of finished goods dispatched other than by way of sales outside the State except in case of input tax credit claimed against entry tax paid under sub-section (6) of this section;”;

(ii) in sub-section (6), the following proviso shall be inserted, namely:—

“Provided that in respect of finished products dispatched by way other than sales, the input tax credit on goods other than those covered by Schedule ‘G’ shall be to the extent it exceeds the rate specified under sub-section (1) of section 8 of the Central Sales Tax Act, 1956 (Central Act 74 of 1956).”.

3. *Amendment of section 10.*— In section 10 of the principal Act,—

(i) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) After adjustment under sub-section (1), the excess input tax credit of a registered dealer, other than those

covered under sub-section (3), shall be carried over as an input tax credit to the subsequent period:

Provided that in case input tax credit at the end of the last quarter of the year exceeds rupees two lakhs, the dealer shall file an application in the prescribed form within three months to carry forward of input tax credit and the Commissioner shall decide the same within three months from the date of filing and thereafter the excess input tax credit, if any, shall be allowed to be carried forward accordingly.”;

(ii) in sub-section (4), the “*Explanation*” thereto shall be omitted.

Place: Raj Bhavan. *BHARAT VIR WANCHOO*,
Date: 1st June, 2012. Governor of Goa.

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